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Matters related to the implementation of the Convention: round table 1

Addressing the impact of multiple discrimination on persons with disabilities, and promoting their participation and multi-stakeholder partnerships for achieving the Sustainable Development Goals in line with the Convention

Note by the Secretariat

The present document, which was prepared in consultation with representatives of civil society and other relevant stakeholders in order to facilitate the round-table discussion on the theme "Addressing the impact of multiple discrimination on persons with disabilities, and promoting their participation and multi-stakeholder partnerships for achieving the Sustainable Development Goals in line with the Convention", transmits to the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, at its tenth session, background information approved by the Bureau-elect of the Conference.

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Overview

1. The realization of the human rights and fundamental freedoms of all persons with disabilities, and their full and effective participation and inclusion in society, are hindered by the impact of multiple and intersecting forms of discrimination. Discrimination against persons with disabilities results in lower employment rates, lower rates of participation in public and political life and decreased access to services such as education, health, rehabilitation, sexual and reproductive health and justice.[1] Persons with disabilities who are subjected to multiple and intersecting forms of discrimination thus experience great marginalization, and failure to address discrimination against them will negate the aspiration of the 2030 Agenda for Sustainable Development that "no one will be left behind".

2. "Multiple discrimination" is defined as a situation in which a person experiences discrimination based on two or more grounds, which compounds or aggravates it.[2] Intersecting discrimination refers to a situation in which several grounds are inseparably intertwined.[3] Grounds for discrimination include but are not limited to: age; disability; sex; ethnic, indigenous, national or social origin; political or other opinion; race; religion; refugee, migrant or asylum status; or any other status.

3. Available data show that the employment rate for women with disabilities is more than 30 per cent lower than that for men with disabilities (19.6 per cent compared with 52.8 per cent, respectively),[4] while girls with disabilities are more likely to be socially excluded than boys with disabilities, which has a direct bearing on their educational trajectory.[5] Women and girls with disabilities experience violence at a rate that is up to 3 times higher than that of their peers without disabilities, and they are up to 10 times more likely to experience sexual violence.[6] In addition, indigenous persons with disabilities often experience multiple and intersecting forms of discrimination on the basis of both their indigenous identity and as persons with disabilities.[7]

4. The principle enshrined in the 2030 Agenda, of ensuring that "no one will be left behind", requires a cross-sectoral, multi-stakeholder approach and the active mobilization of a broad range of stakeholders. Although the degree to which stakeholders are able to participate meaningfully in the national formulation and the implementation of sustainable policy varies,[8] the inclusion and participation of persons with disabilities and their representative organizations in cross-sectoral, multi-stakeholder partnerships, and the development and strengthening of these

[1] A/HRC/34/26.

[2] Committee on the Elimination of Discrimination against Women, general recommendation No. 25, on art. 4, para. 1, of the Convention on the Elimination of All Forms of Discrimination against Women, (temporary special measures) (2004).

[3] Committee on the Elimination of Discrimination against Women, general recommendation No. 28 on the core obligations of States parties under art. 2 of the Convention on the Elimination of All Forms of Discrimination against Women (2010).

[4] World Health Organization and World Bank, *World Report on Disability* (Geneva, 2011).

[5] Sue Coe, "Outside the Circle: A research initiative by Plan International into the rights of children with disabilities to education and protection in West Africa" (Dakar, Plan International West Africa, 2013).

[6] "We Decide" initiative for young persons with disabilities, infographic (2016). Available from www.msh.org/sites/msh.org/files/we_decide_infographic.pdf.

[7] Inter-Agency Support Group on Indigenous Peoples' Issues, "Rights of Indigenous Peoples/ Persons with Disabilities" (2014). Available from www.un.org/en/ga/president/68/pdf/wcip/IASG%20Thematic%20Paper_Disabilities.pdf.

[8] See Department of Economic and Social Affairs, Division for Sustainable Development, "Synthesis of Voluntary National Reviews", 2016.

partnerships, will advance efforts to address the impact of multiple and intersecting forms of discrimination for persons with disabilities.

Convention on the Rights of Persons with Disabilities: relevant frameworks and reports

5. The Convention on the Rights of Persons with Disabilities of 2006 is a legally binding human rights treaty with an explicit social development dimension that recognizes the human rights and fundamental freedoms of all persons with disabilities.[9] In the preamble to the Convention, the difficult conditions faced by persons with disabilities, who are subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status, are recognized.

6. In the Convention, non-discrimination and equality of persons with disabilities are featured as both a principle (article 3) and an obligation (article 5, on equality and non-discrimination) and are a central requirement. The obligation to eliminate all forms of disability-based discrimination, including multiple and intersecting forms of discrimination, underlies all provisions of the Convention, including the right to education, work and employment, participation in political and public life, liberty of movement and nationality, living independently, being included in the community, access to justice, equal recognition before the law, social protection, the right to liberty and the right to health. In particular, article 6, on women with disabilities, and article 7, on children with disabilities, recognize that women and girls with disabilities and children with disabilities are commonly subject to multiple discrimination.

7. In article 32 of the Convention, the importance of international cooperation and its promotion for the realization of the purposes and objectives of the Convention are recognized. States parties are committed under the article to undertaking "appropriate and effective measures ... between and among States and, as appropriate, in partnership with relevant international and regional organizations and civil society, in particular organizations of persons with disabilities". Effective measures involve ensuring that international cooperation, including international development programmes, is inclusive of and accessible to persons with disabilities (32.1 (a)) and facilitating and supporting capacity-building, including through the exchange and sharing of information, experiences, training programmes and best practices (32.1 (b)).

8. In article 4.3 of the Convention, it is stated that States parties should closely consult with and actively involve persons with disabilities, through their representative organizations, in the development and implementation of legislation and policies to implement the Convention, and in other decision-making processes concerning issues relevant to persons with disabilities.

9. The equal treatment of and absence of discrimination against persons with disabilities also falls under the mandate of other international human rights treaties, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture, the Convention on the Elimination of All Forms of Discrimination against Women[10] and the Convention on the Rights of the Child.[11]

10. The commitment of the international community to advancing the human rights of persons with disabilities in sustainable development has been strengthened with the

[9] General Assembly resolution 61/106, annex I.
[10] General Assembly resolution 34/180, annex.
[11] General Assembly resolution 44/25, annex.

adoption of the 2030 Agenda for Sustainable Development.[12] The 17 Sustainable Development Goals explicitly include persons with disabilities in five Goals and seven targets. Goal 10, to "Reduce inequality within and among countries", commits Member States to reducing inequalities for all people, including persons with disabilities. Targets addressing multiple and intersecting forms of discrimination include 10.2, "empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status" and 10.3, "Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action". While not explicitly mentioned under Goal 5, "Achieve gender equality and empower all women and girls", women and girls with disabilities are also included in target 5.1, "End all forms of discrimination against all women and girls everywhere".

11. Goal 17, "Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development", calls for global partnerships in support of the implementation of the Sustainable Development Goals. Particular targets include 17.16, "Enhance the Global Partnership for Sustainable Development, complemented by multi-stakeholder partnerships that mobilize and share knowledge, expertise, technology and financial resources, to support the achievement of the Sustainable Development Goals in all countries, in particular developing countries", and 17.17, "Encourage and promote effective public, public-private and civil society partnerships, building on the experience and resourcing strategies of partnerships".

12. Other relevant documents include general comment No. 3 (2016) of the Committee on the Rights of Persons with Disabilities on article 6: Women and girls with disabilities[13] and the report of the Office of the United Nations High Commissioner for Human Rights on equality and non-discrimination under article 5 of the Convention on the Rights of Persons with Disabilities.[14] The Report of the Special Rapporteur of the Human Rights Council on the rights of persons with disabilities, which focuses on disability-inclusive policies, is also aimed at providing guidance to States and other actors on how to establish policies that are in conformity with the Convention and that can contribute to the achievement of the Sustainable Development Goals.[15]

Examples of multi-stakeholder partnerships for the achievement of the Sustainable Development Goals in line with the Convention on the Rights of Persons with Disabilities

13. The United Nations Partnership to Promote the Rights of Persons with Disabilities is a unique collaborative effort that brings together United Nations entities, Governments, organizations of persons with disabilities and broader entities of civil society to advance the human rights of persons with disabilities throughout the world. The Partnership supports the full implementation of the Convention by facilitating dialogue on policy, coalition-building and capacity-development at the national, regional and global levels. In doing so, it leverages the comparative advantage of multiple stakeholders to advance the vision of a "society for all" in the twenty-first century.[16]

[12] General Assembly resolution 70/1.
[13] CRPD/C/GC/3, paras. 13-23.
[14] A/HRC/34/26.
[15] A/71/314.
[16] See mptf.undp.org/factsheet/fund/RPD00.

14. The Inter-Agency Support Group on the Convention on the Rights of Persons with Disabilities was established in 2006 by the United Nations System Chief Executives Board for Coordination. The Group, which comprises United Nations funds and programmes, the specialized agencies, the Secretariat and others, including representatives of organizations of persons with disabilities, is tasked with promoting compliance with the principles of the Convention and increasing the scale and effectiveness of the involvement of the United Nations in the mainstreaming of the rights of persons with disabilities.[17]

15. The Global Action on Disability Network, established in 2015, is a donor community that comprises bilateral donor agencies, multilateral organizations, the private sector, foundations, organizations of persons with disabilities, other civil society stakeholders and actors in this field. Members of the Network collaborate to share expertise, coordinate actions and raise the profile of the human rights of persons with disabilities across international development efforts in order to achieve cooperative international development inclusive of persons with disabilities.[18]

16. The Stakeholder Group of Persons with Disabilities, a civil society partnership representing persons with disabilities, comprises persons with disabilities, organizations of persons with disabilities, non-governmental and other organizations working on the rights of persons with disabilities and non-governmental donors working in this space.[19] The Group also engages with other civil society partnerships and with relevant entities of the United Nations system on development-related issues as part of the major groups and other stakeholders of the Economic and Social Council. The Group engages with Member States during the annual high-level political forum on sustainable development of the Council, the monitoring mechanism for the Sustainable Development Goals.[20]

Questions for consideration

17. The following questions are presented for consideration at the round-table discussion:

(a) How should multiple and intersectional discrimination against persons with disabilities be monitored and evaluated, and how can the implementation of the Sustainable Development Goals aid in combating multiple and intersecting forms of discrimination against persons with disabilities?

(b) The 2030 Agenda for Sustainable Development provides opportunities to support the participation and meaningful inclusion of persons with disabilities in national and regional development policies and programmes. How can States and United Nations agencies capitalize on the knowledge and expertise of persons with disabilities and their representative organizations to address multiple and intersecting forms of discrimination and "leave no one behind"?

(c) What good practices exist in terms of legal redress and accountability, and what role can data and statistics processes play, in addressing and capturing the scope and impact of multiple and intersectional discrimination?

(d) Leveraging the opportunities presented by the 2030 Agenda, what specific entry points exist for effective multi-stakeholder partnerships with a view to combating multiple and intersecting forms of discrimination, achieving the

[17] See www.un.org/development/desa/disabilities/about-us/inter-agency-support-group-for-the-convention-on-the-rights-of-persons-with-disabilities.html.
[18] See www.internationaldisabilityalliance.org/glad.
[19] See www.internationaldisabilityalliance.org/content/stakeholder-group-persons-disabilities.
[20] E/HLPF/2016/2.

Sustainable Development Goals and implementing the Convention on Rights of Persons with Disabilities?

(e) What innovative solutions, including information and communications technologies and market-based solutions, exist to support the implementation of the 2030 Agenda, in line with the Convention?